

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL CASE NO. 3:06cv417

DAVID C. JOHNSON,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
METROPOLITAN LIFE INSURANCE)	
COMPANY; BANK OF AMERICA)	
CORPORATION; BANK OF)	
AMERICA LONG TERM DISABILITY)	
BENEFITS PLAN; and BANK OF)	
AMERICA GROUP BENEFITS)	
PROGRAM,)	
)	
Defendants.)	
)	

THIS MATTER is before the Court on its own motion. By Order entered February 28, 2007, the Court ordered the following: (1) the plaintiff was ordered to provide Rule 26 documents to the defendants within fourteen (14) days; (2) the defendants were ordered to produce the entire claim form to the plaintiff within fourteen (14) days; (3) the

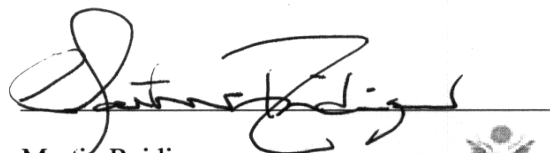
parties were ordered to submit briefs to the Court concerning the applicable standard of review by April 14, 2007; and (4) following the exchange of the above-referenced documents, the parties were directed to participate in mediation.

The parties have submitted briefs to the Court as directed regarding the applicable standard of review. However, the parties have not advised the Court whether the above-referenced documents have been exchanged; whether the parties have engaged in mediation; or whether this case has been settled.

Accordingly, the parties are hereby directed to file a report with the Court within ten (10) days of the entry of this Order as to the status of this case, including, but not limited, to: (1) whether the parties have exchanged the above-referenced documents; (2) whether mediation has in fact occurred; and (3) whether this case has been settled.

IT IS SO ORDERED.

Signed: September 21, 2007


Martin Reidinger
United States District Judge

